

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application No.: 09/833,507  
 Filing Date: 04/11/2001  
 First Named Inventor: Ralph A. Mosher, et al.  
 Group Art Unit: 1714  
 Examiner Name: Tae Yoon  
 Attorney Docket No.: D/A0584Q

### This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29). Instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA [and 102(e)/103 removal for commonly owned applications]. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000); 65 Fed. Reg. 50092 (Aug. 16, 2000), which established RCE practice. [Note that § 1.114 also requires prosecution to be closed to use an RCE.]

#### 1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 10/02/2002 (Any unentered amendment(s) referred to above will be entered).
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - v.  Other
- b.  Enclosed
  - i.  Amendment or Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other

#### 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required - see box 3.a.ii below)
- b.  Other

#### 3. Fees

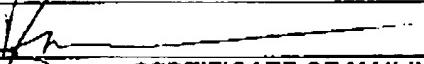
[The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.]

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Xerox Corporation Deposit Account No. 24-0025.

- i.  RCE fee required under 37 C.F.R. § 1.17(e) - \$750.00
- ii.  Suspension Processing Fee (37 C.F.R. § 1.103(c) and 1.17(i)) --\$130.00
- iii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17). Please grant any required extension of time.
- iv.  Other

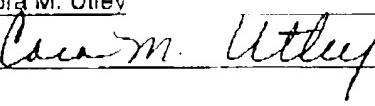
- b.  A return receipt postcard is enclosed.

#### **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |       |
|-------------------|---|-----------------------------------|-------|
| Name (Print/Type) | Annette L. Bade   | Registration No. (Attorney/Agent) | 37029 |
| Signature         |  |                                   |       |
| Date 02/27/2003   |   |                                   |       |

#### **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited on the date set forth below with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date set forth below.

|                   |   |      |            |
|-------------------|---|------|------------|
| Name (Print/Type) | Cora M. Utley   | Date | 02/27/2003 |
| Signature         |  |      |            |

Xerox Ref. 001/001